

United States District Court
for
Middle District of Tennessee

Superseding Petition for Summons for Offender Under Supervision
[Supersedes Petition Filed as Docket Entry No. 125]

Name of Offender: Jeremy Matthew Crouch

Case Number: 3:09-00235-03

Name of Judicial Officer: Honorable Todd J. Campbell, U.S. District Judge

Date of Original Sentence: June 29, 2011

Original Offense: 18 U.S.C. § 371 Conspiracy to Commit Theft of Mail

Original Sentence: 18 months' custody and two years' supervised release

Type of Supervision: Supervised release

Date Supervision Commenced: September 3, 2013

Assistant U.S. Attorney: Byron Jones

Defense Attorney: Caryll S. Alpert

PETITIONING THE COURT

- To Consider Additional Violations/Information.
 To issue a Summons.
 To issue a Warrant.
-

THE COURT ORDERS:

- No Action
 The Issuance of a Warrant:
 Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
 The Issuance of a Summons.
 Other

The Consideration of Additional Violations/Information.

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,

Amanda Michele

Amanda Michele
U.S. Probation Officer

Considered this 25 day of Nov, 2014,
and made a part of the records in the above case.

Todd Campbell

Todd J. Campbell
U.S. District Judge

Place Nashville

Date November 25, 2014

ALLEGED VIOLATIONS

The information provided in the previous petition, filed as docket entry No. 125, has been amended as follows:

Violation No. 3 - has been added to report a positive drug test for marijuana.

Violation No. 4 - has been added to notify the Court of a citation for Leaving the Scene of an Accident.

The probation officer believes that the offender has violated the following condition of supervision:

- | <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--|
| <u>1.</u> | <u>The defendant shall participate in a program of drug testing and substance abuse treatment which may include a 30-day inpatient substance abuse treatment program followed by up to 90 days in a community corrections center at the direction of the probation officer. The defendant shall pay all or part of the cost for substance abuse treatment if the United States Probation Office determines the defendant has the financial ability to do so or has appropriate insurance coverage to pay for such treatment.</u> |

Mr. Crouch has failed to attend substance abuse treatment at Centerstone Mental Health on the following dates:

September 24, 2014
October 8, 2014
October 22, 2014

- | | |
|-----------|--|
| <u>2.</u> | <u>The defendant shall pay restitution, joint and several with his co-defendants, in the amount of \$14,091.64, at a rate of 10% of his gross monthly income. The defendant shall pay a \$100.00 special assessment.</u> |
|-----------|--|

Despite reporting full-time employment, Mr. Crouch has only made three payments towards his special assessment and no payments towards his restitution.

March 24, 2014	\$10.00
September 2, 2014	\$25.00
September 8, 2014	\$25.00

- | | |
|-----------|---|
| <u>3.</u> | <u>The defendant shall refrain from any unlawful use of a controlled substance.</u> |
|-----------|---|

On November 19, 2014, Mr. Crouch tested positive for marijuana.

When questioned by the probation officer, Mr. Crouch denied using the illegal drug and could provide no explanation as to why he would test positive.

4.

The defendant shall not commit another federal, state, or local crime.

On November 21, 2014, Mr. Crouch was issued a citation and charged with Leaving the Scene of an Accident on October 31, 2014, in Davidson County, Tennessee. This is a Class C misdemeanor and the citation is attached for Your Honor's review. Mr. Crouch was notified to appear at the A.A. Birch Building, in Nashville, Tennessee, on December 18, 2014, for booking and his initial court appearance.

According to the citation, Mr. Crouch allegedly backed out of a driveway into another vehicle and left the scene without leaving any information. The damage to the other vehicle was more than \$500.00.

Compliance with Supervision Conditions and Prior Interventions:

Jeremy Matthew Crouch is currently employed, full-time, with David Craig Construction, and lives with his grandmother in Donelson, Tennessee. Mr. Crouch began his term of supervised release on September 3, 2013, and his supervision is due to terminate on September 2, 2015.

Following his release from custody, Mr. Crouch was referred to Centerstone Mental Health for a substance abuse assessment and individual therapy, twice a month, was recommended. The probation officer was notified by Centerstone staff that Mr. Crouch infrequently participated in treatment as recommended. The probation officer reminded Mr. Crouch that his special condition, imposed by the Court, ordered him to participate in substance abuse treatment as recommended. He was advised that his therapist recommended a certain level of treatment, based on her clinical opinion, and he was required to attend as directed. After discussion with both the probation officer and his therapist, Mr. Crouch began attending substance abuse treatment as recommended.

A report was submitted to the Court on March 6, 2014, regarding Mr. Crouch's violations of testing positive for medications not prescribed to him and for his failure to make a payment toward his special assessment and restitution, as ordered by the Court. Your Honor ordered no action on March 6, 2014. Mr. Crouch was re-instructed to not use any illegal substances or medications not prescribed to him. His therapist was informed of his illegal drug use and his substance abuse treatment was increased to weekly sessions. Mr. Crouch's random drug testing was also increased.

A report was submitted to the Court on June 3, 2014, regarding Mr. Crouch's violations of testing positive for cocaine on two different occasions and for his continued failure to make payments toward his special assessment and restitution, as ordered by the Court. Your Honor ordered no action on June 4, 2014, in order to give Mr. Crouch the opportunity to successfully participate in substance abuse treatment as recommended by Centerstone Mental Health and make appropriate payments toward his restitution.

A petition was submitted to the Court on October 30, 2014, regarding Mr. Crouch's violations of failure to attend substance abuse treatment and failure to pay restitution, as ordered by the Court. The Court ordered the issuance of a summons on October 30, 2014, and Mr. Crouch was ordered to appear at the U.S. Marshal's Office on or before November 14, 2014. Mr. Crouch appeared on his summons on November 6, 2014, and was released to the same conditions of supervised release, pending his revocation hearing, currently scheduled for December 30, 2014.

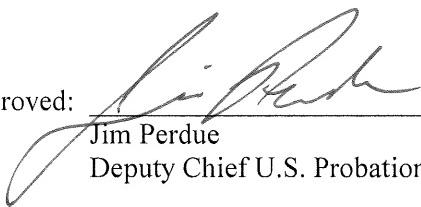
Update of Offender Characteristics:

There is no additional information relevant to this section that has not already been provided in this petition.

U.S. Probation Officer Recommendation:

It is respectfully requested that these additional violations be considered at the revocation hearing to be held before Your Honor on December 30, 2014. These new violations have been discussed with Assistant U.S. Attorney Byron Jones, who concurs with the recommendation.

Approved:



Jim Perdue
Deputy Chief U.S. Probation Officer

SENTENCING RECOMMENDATION
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE
UNITED STATES V. JEREMY MATTHEW CROUCH, CASE NO. 3:09-00235-03

GRADE OF VIOLATION: C
CRIMINAL HISTORY: VI

ORIGINAL OFFENSE DATE:	POST APRIL 30, 2003	PROTECT ACT PROVISIONS	
		<u>Statutory Provisions</u>	<u>Guideline Provisions</u>
CUSTODY:	2 years (Class D Felony) <i>18 U.S.C. § 3583(e)(3)</i>	8-14 months <i>U.S.S.G. § 7B1.4(a)</i>	No recommendation
SUPERVISED RELEASE:	3 years less any term of imprisonment <i>18 U.S.C. § 3583(h)</i>	1-3 years <i>U.S.S.G. § 5D1.2(a)(2)</i>	No recommendation

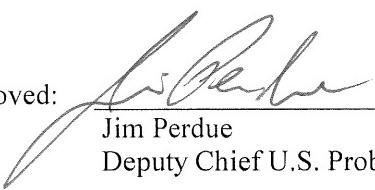
18 U.S.C. § 3583(e)(3) The Court may revoke a term of supervised release and require the defendant to serve in prison all or part of the term of supervised release authorized by statute for the offense that resulted in such term of supervised release without credit for time previously served on post release supervision, if the Court finds by a preponderance of the evidence that the offender violated a condition of supervised release. When a term of supervised release is revoked and the defendant is required to serve a term of imprisonment that is less than the maximum term of imprisonment authorized under subsection (e)(3), the Court may include a requirement that the defendant be placed on a term of supervised release after imprisonment. The length of such a term of supervised release shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that was imposed upon revocation of supervised release, in accordance with 18 U.S.C. § 3583(h).

Guideline Policy Statements: Upon a finding of a Grade C violation, the Court may (A) revoke probation or supervised release; or (B) extend the term of probation or supervised release and/or modify the conditions of supervision. U.S.S.G. § 7B1.3(a)(2).

Respectfully Submitted,



Amanda Michele
U.S. Probation Officer

Approved: 
Jim Perdue
Deputy Chief U.S. Probation Officer

MISDEMEANOR CITATION

STATE OF TENNESSEE - COUNTY OF DAVIDSON

In The Metropolitan General Sessions Court

CONTINUED
ON M.P.D.
FORM #100D

SC1000179

M.P.D. COMPLAINT NO.

2014 1045166

I, THE UNDERSIGNED, HAVE PROBABLE CAUSE THAT THE FOLLOWING NAMED DEFENDANT DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE IN VIOLATION OF THE APPROPRIATE LAWS CITED.

ARRESTEE INFORMATION

REPORTING AGENCY OTHER THAN M.P.D. A.P. BELLE MEADE P.D.
 BERRY HILL P.D. GOODLETTSVILLE P.D. LAKWOOD P.D.
 PARK RANGERS V.P.D. OTHER

AGENCY'S CASE / COMP. NO. OF REPORTING AGENCY

ARRESTEE'S NAME (LAST, FIRST, MIDDLE) UNK.

SR. JR. OTHER

PLACE OF BIRTH

Crouch

Seremy Matthew

Nashville TN

OTHER NAME(S) USED: (MAIDEN, NICKNAME, ALIAS, ETC.) NONE SEE ATTACHED

MARITAL STATUS

UNK. DIVORCED
 MARRIED SINGLE

ARREST NO.

M <input checked="" type="checkbox"/>	RACE <input type="checkbox"/> AM IND/ALASKAN <input checked="" type="checkbox"/> WHITE <input type="checkbox"/> ASIAN/PAC ISLANDER <input type="checkbox"/> BLACK <input type="checkbox"/> UNK <input type="checkbox"/> N/A	ETHNICITY <input type="checkbox"/> UNK <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC	HEIGHT 5'11	WEIGHT 200	EYES BL	HAIR BC	D.O.B. 1/13/81	AGE 33	SUSPECTED OF USING <input type="checkbox"/> ALCOHOL <input type="checkbox"/> COMPUTER <input type="checkbox"/> DRUGS <input checked="" type="checkbox"/> N/A
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RESIDENCE ADDRESS (STREET, APT. NO., CITY) NASHVILLE STATE TN ZIP CODE TELEPHONE NO. NONE

826 Colfax Dr.

37214 (615)300-4023

PLACE OF EMPLOYMENT / SCHOOL (NAME & ADDRESS)

NASHVILLE STATE TN ZIP CODE

RESIDENT STATUS

DAVIDSON CO. RESIDENT?

YES NO

SOCIAL SECURITY NO. NONE

DRIVER LICENSE NO. NONE VISUALLY CHECKED STATE

STATUS

VALID REVOKED I.D.
 SUSPENDED CANCELLED RESTRICTED

LOCATION OF ARREST (STREET ADDRESS, INTERSECTION).

DATE & TIME OF ARREST

DAY OF WEEK

11/21/14

1300 HRS.

SU MO TU WE
 TH FR SA

VEHICLES

LIC. NO.

STATE

YEAR

YEAR

MAKE

MODEL

STYLE

COLOR

N/A

WEAPON/ TOOL (ENTER UP TO 3)	<input type="checkbox"/> HANDGUN <input type="checkbox"/> REVOLVER <input type="checkbox"/> SHOTGUN <input type="checkbox"/> OTHER FIREARM <input type="checkbox"/> RIFLE <input type="checkbox"/> BLUNT OBJECT	<input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> CUTTING INSTRUMENT <input type="checkbox"/> PERSONAL (HANDS, ETC.)	<input type="checkbox"/> FIRE/INCENDIARY <input type="checkbox"/> EXPLOSIVES <input type="checkbox"/> POISON	<input type="checkbox"/> DRUGS <input type="checkbox"/> ASPHYXIATION <input type="checkbox"/> UNK	<input type="checkbox"/> OTHER <input type="checkbox"/> NONE
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TCA CODE

CHARGE/OFFENSE

55-10-102

leg. seen by acbue

NARRATIVE:

On 10-31-14 before 2000 hrs = 2400 hrs at 830 Woodcutter Dr. a wreck occurred. The vehicle the def was driving came out of a driveway. Started the driver down door of the side victim's vehicle. The def did not make contact. That night was the day of his information. Due to the other vehicle was more than \$500.00.

NO WARRANTS

PROSECUTOR'S SIGNATURE

ARRESTING OFFICER'S NAME (PRINT)

EMPLOYEE NUMBER

405455

APPROVING SUPERVISOR

EMPLOYEE NUMBER

REVIEWER'S EMP. NO.

RESPONSIBILITIES - The defendant shall report on the date and time indicated below to be booked and go to court. Please report to the Davidson County Sheriff's Office booking area, located on the 1st floor of the Justice A.A. Birch Building, 408 2nd Avenue North, Nashville, TN 37201. Dress Code: NO halter, t-tops, see through tops, exposed midriff, exposed undergarments, hats or any other inappropriate clothing. Clothing depicting pictures or wording of a racial, sexual or other inflammatory nature shall not be permitted. The final decision is subject to the discretion of each divisional judge.

RESPONSABILIDADES DEL ACUSADO - El defensor deberá reportar en el día y la hora indicado abajo, para ser citado para ir a corte. Favor de reportarse en la oficina de Citaciones del Sheriff del Condado de Davidson, ubicado en el 1er piso del Edificio de Justicia A.A. Birch, 408 2nd Avenue North, Nashville, TN. 37201. Código de vestimenta: No remeras musculosas, sin mangas, transparentes, con panza al aire, ropa interior a la vista, sombreros, gorras o cualquier otra vestimenta inapropiada. Prendas que represente retratos o con mensajes raciales, sexuales u otra naturales inflamatoria no serán permitidos. La decisión final será sujeta a la discreción del Juez de cada división.

I hereby affix my signature and fingerprint with the understanding that such is NOT A PLEA OF GUILTY, but to certify that I received a copy of this citation and agree to appear as indicated without issuance of a warrant as provided by T.C.A. Section 40-7-118.

Por medio de la presente adjunto mi firma y aplico mi huella digital, entendiendo que este acto NO IMPLICA QUE ME DECLARO CULPABLE, sino que certifico que he recibido una copia de esta citación y que me comprometo a presentarme en corte como se indica, previamente a la emisión de una "warrant" (autorización para arresto) como se prevee en el T.C.A., Sección 40-7-118.

X	BOOKING DATE	BETWEEN 7:00 AM AND 10:00 AM
	12-18-14	

SC

VIOLATION WORKSHEET

1. **Defendant** Jeremy Matthew Crouch2. **Docket Number** (*Year-Sequence-Defendant No.*) 0650 3:09CR00235 - 33. **District/Office** Middle District of Tennessee - Nashville4. **Original Sentence Date** 6 / 29 / 2011
*month day year*5. **Original District/Office** _____
(*if different than above*)6. **Original Docket Number** (*Year-Sequence-Defendant No.*) _____

7. List each violation and determine the applicable grade (see §7B1.1):

<u>Violation(s)</u>	<u>Grade</u>
Shall participate in a program of drug testing and substance abuse treatment	C
at the direction of the probation officer.	
Shall pay restitution, joint and several with his co-defendants, in the amount	C
of \$14,091.64, at a rate of 10% of his gross monthly income. The defendant	
shall pay a \$100.00 special assessment.	
Shall refrain from the unlawful use of a controlled substance.	C
Shall not commit another federal, state, or local crime.	C
_____	_____

8. **Most Serious Grade of Violation** (*see §7B1.1(b)*) C
9. **Criminal History Category** (*see §7B1.4(a)*) VI
10. **Range of Imprisonment** (*see §7B1.4(a)*) 8 - 14 months

11. **Sentencing Options for Grade B and C Violations Only** (*Check the appropriate box*):

- (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.
- (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Defendant Jeremy Matthew Crouch

12. Unsatisfied Conditions of Original Sentence

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution(\$)	<u>\$13,376.64</u>	Community Confinement	<u> </u>
Fine(\$)	<u> </u>	Home Detention	<u> </u>
Other	<u>Special Assessment \$40.00</u>	Intermittent Confinement	<u> </u>

13. Supervised Release

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: _____ to _____ years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from _____ imprisonment:

14. Departure

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of Imprisonment:

15. Official Detention Adjustment (see §7B1.3(e)): _____ months _____ days

Mail documents to: United States Sentencing Commission
Ste 2-500, South Lobby, One Columbus Cir, NE
Washington, DC 20002-8002